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FILED BY cg D.C.

05 MAY 23 PM 12:56

United States District Court
for
Western District of Tennessee

ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN. MEMPHIS

U.S.A. vs. Jeffrey Hardin

Docket No. 04-20502-001

Petition for Action on Conditions of Pretrial Release

COMES NOW PRETRIAL SERVICES OFFICER **Loretta Fleming** presenting an official report upon the conduct of defendant **Jeffrey Hardin** who was placed under pretrial release supervision by the **Honorable Diane K. Vescovo** sitting in the court at **Memphis, TN**, on the **4th** day of **January, 2005** under the following conditions:

- 1) Report to Pretrial Services as directed
- 2) Refrain from possessing a firearm, destructive device, or other dangerous weapon
- 3) Refrain from unlawful possession or use of a narcotic drug or other controlled substance
- 4) Submit to substance abuse testing as directed by the pretrial services officer or supervising officer
- 5) Participate in substance abuse treatment, if deemed advisable by the pretrial services officer or supervising officer

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:
(If short insert here: if lengthy write on separate sheet and attach)

SEE PAGE 2 FOR CAUSE

PRAYING THAT THE COURT WILL ORDER THAT THE DEFENDANT UNDERGO MENTAL HEALTH TREATMENT IF DEEMED ADVISABLE BY THE PRETRIAL SERVICES OFFICE OR SUPERVISING OFFICER WITH TREATMENT RECORDS TO BE MADE AVAILABLE TO PRETRIAL SERVICES.

ORDER OF COURT

Considered and ordered this 18th
day of May, 2005 and ordered
filed and made a part of the records in the above
case.

S. Thomas Anderson

U.S. District Judge/Magistrate

I declare under penalty of perjury that the
foregoing is true and correct.

Executed on March 28, 2005

Loretta Fleming

U.S. Pretrial Services Officer

Place Memphis, TN

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Jeffrey Hardin reported to Pretrial Services on February 1, 2005, and stated that his mental health treatment at Health Quest was discontinued due to his no longer receiving TennCare. At that time, the defendant executed a Consent to Modify Conditions of Release adding the condition that he undergo mental health treatment if deemed advisable by the pretrial services office or supervising officer. However, contact was made with the defendant's attorney, Assistant Federal Public Defender J. Patten Brown, who indicated that he will execute the Consent form contingent upon full knowledge and understanding that Mr. Hardin's mental health records may not be disclosed to Pretrial Services.

This officer recommends that the mental health condition be added to the defendant's conditions of release to reduce his risk of nonappearance and danger associated with his emotional or mental health. It should be noted that prior to pretrial release, the defendant was prescribed Lexapro and Mirtazapine for depression.

Assistant U.S. Attorney Katrina U. Earley has been apprised of this recommendation and is in agreement with it.

It is therefore recommended that the defendant's conditions of release be modified as follows:

- 1) Undergo mental health treatment if deemed advisable by the pretrial services office or supervising officer with treatment records to be made available to Pretrial Services.



Notice of Distribution

This notice confirms a copy of the document docketed as number 37 in case 2:04-CR-20502 was distributed by fax, mail, or direct printing on May 24, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT